

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

BIOVAIL LABORATORIES INTERNATIONAL SRL,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 05-586 (KAJ)
)	(Consolidated with
ANDRX PHARMACEUTICALS, LLC and)	C.A. No. 06-620)
ANDRX CORPORATION,)	
)	
Defendants.)	

NOTICE OF DEPOSITION OF BRIAN BERRY

PLEASE TAKE NOTICE that, pursuant to Rule 30 of the Federal Rules of Civil Procedure, the attorneys for Plaintiff Biovail Laboratories International SRL ("Biovail") will take a deposition upon oral examination of Brian Berry. The deposition will commence at 9:30 a.m. on December 7, 2006, at the offices of Fitzpatrick, Cella, Harper & Scinto, 30 Rockefeller Plaza, New York, NY 10112. The examination will be conducted before a person duly authorized and will be recorded by stenographic and videographic means.

You are invited to attend and cross-examine.

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/s/ Karen Jacobs Loudon

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October 17, 2006

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CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on October 17, 2006, I caused to be electronically filed the foregoing with the Clerk of the Court using CM/ECF, which will send notification of such filing(s) to the following:

Richard L. Horwitz
Potter Anderson & Corroon LLP

and that I caused copies to be served upon the following in the manner indicated:

BY HAND

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